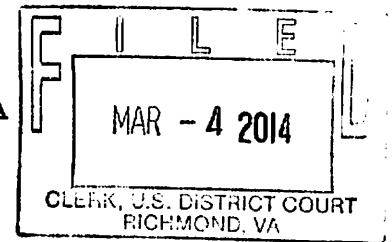


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



CHRISTOPHER L. CARTER,

Plaintiff,

v.

Civil Action No. 3:13cv299

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

Having reviewed the REPORT AND RECOMMENDATION of the Magistrate Judge entered herein on January 7, 2014 (Docket No. 22), the Plaintiff's ANSWER filed on January 13, 2014, which the Court construes as the Plaintiff's Objections to the Report and Recommendation (Docket No. 23), the DEFENDANT'S REPLY TO PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (Docket No. 24), and having considered the record and the REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that:

(1) The Plaintiff's Objections to the Report and Recommendation (Docket No. 23) are overruled;

(2) The REPORT AND RECOMMENDATION of the Magistrate Judge (Docket No. 22) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION;

(3) The Plaintiff's ANSWER filed on July 29, 2013 which the Court construes as a Motion for Summary Judgment (Docket No. 12) is denied;

(4) The defendant's MOTION FOR SUMMARY JUDGMENT (Docket No. 13) is granted; and

(5) The Commissioner's decision is affirmed.

It is further ORDERED that the issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

This Order may be appealed by the plaintiff. Any appeal from this decision must be taken by filing a written notice of appeal with the Clerk of the Court within sixty (60) days of the date of entry hereof. Failure to file a timely notice of appeal may result in the loss of the right to appeal.

The Clerk is directed to send a copy of this Order to the plaintiff and counsel for the defendant.

It is so ORDERED.

/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: ~~February~~ *March 4*, 2014

REP